

**Live Database**  
**U.S. District Court – Eastern District of Tennessee (Chattanooga)**  
**CIVIL DOCKET FOR CASE #: 1:12-cv-00392**

Sierra Club v. Tennessee Valley Authority  
Assigned to: District Judge Curtis L Collier  
Referred to: Magistrate Judge Susan K Lee  
Cause: 05:552 Freedom of Information Act

Date Filed: 11/29/2012  
Date Terminated: 12/13/2012  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****Sierra Club**

represented by **Craig Holt Segall**  
SIERRA CLUB  
50 F Street, NW  
8th Floor  
Washington, DC 20001  
(202) 548-4597  
Fax: (202) 547-6009  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant****Tennessee Valley Authority**

represented by **Maria Victoria Gillen**  
Tennessee Valley Authority  
Office of General Counsel  
400 West Summit Hill Drive  
Knoxville, TN 37902  
865-632-7741  
Fax: 865-632-6718  
Email: [mygillen@tva.gov](mailto:mygillen@tva.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Tricia L Roelofs**  
Tennessee Valley Authority  
Office of General Counsel  
400 West Summit Hill Drive  
Knoxville, TN 37902  
865-632-6225  
Fax: 865-632-6718  
Email: [troelofs@tva.gov](mailto:troelofs@tva.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
11/15/2012	<u>1</u>	COMPLAINT against TENNESSEE VALLEY AUTHORITY ( Filing fee \$ 350 receipt number 0090-3132977) filed by SIERRA CLUB. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Certificate of Service, # <u>3</u> Corporate Disclosure Statement)(Segall, Craig) [Transferred from District of Columbia on 11/29/2012.] (Entered: 11/15/2012)
11/15/2012	<u>2</u>	NOTICE of Summons to be Executed by SIERRA CLUB (Attachments: # <u>1</u> Summons to be executed, # <u>2</u> Summons to be executed, # <u>3</u> Summons to be executed)(Segall, Craig) [Transferred from District of Columbia on 11/29/2012.] (Entered: 11/15/2012)

11/15/2012	<u>3</u>	Emergency MOTION for Preliminary Injunction by SIERRA CLUB (Attachments: # <u>1</u> Memorandum in Support Memorandum of Points and Authorities, # <u>2</u> Certificate of Service Certificate of Service, # <u>3</u> Exhibit Exhibits A–O to Sierra Club's Memorandum)(Segall, Craig) [Transferred from District of Columbia on 11/29/2012.] (Entered: 11/15/2012)
11/15/2012	<u>4</u>	NOTICE of <i>Corrected Certificate of Service</i> by SIERRA CLUB re <u>3</u> Emergency MOTION for Preliminary Injunction (Segall, Craig) [Transferred from District of Columbia on 11/29/2012.] (Entered: 11/15/2012)
11/15/2012	<u>5</u>	NOTICE <i>Corrected, with hard pdf attachments of summons</i> by SIERRA CLUB re <u>2</u> Notice (Other) (Attachments: # <u>1</u> Holder Summons – pdf to be executed, # <u>2</u> Machen Summons – pdf to be executed, # <u>3</u> Rogers summons – pdf to be executed)(Segall, Craig) [Transferred from District of Columbia on 11/29/2012.] (Entered: 11/15/2012)
11/15/2012	<u>6</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by SIERRA CLUB (Attachments: # <u>1</u> Certificate of Service)(Segall, Craig) [Transferred from District of Columbia on 11/29/2012.] (Entered: 11/15/2012)
11/15/2012		Case Assigned to Judge Amy Berman Jackson. (ls, ) [Transferred from District of Columbia on 11/29/2012.] (Entered: 11/15/2012)
11/15/2012	<u>7</u>	ELECTRONIC SUMMONS (3)Issued as to TENNESSEE VALLEY AUTHORITY, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Summons, # <u>2</u> Summons, # <u>3</u> Consent Notice)(ls, ) [Transferred from District of Columbia on 11/29/2012.] (Entered: 11/15/2012)
11/15/2012	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. TENNESSEE VALLEY AUTHORITY served on 11/15/2012, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 11/15/2012., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 11/15/2012. ( Answer due for ALL FEDERAL DEFENDANTS by 12/15/2012.) (Attachments: # <u>1</u> Summons Summons Returned Executed as to TVA, # <u>2</u> Summons Summons Returned Executed as to Attorney General, # <u>3</u> Summons Summons returned Executed as to U.S. Attorney in FOIA case)(Segall, Craig) [Transferred from District of Columbia on 11/29/2012.] (Entered: 11/15/2012)
11/23/2012	<u>9</u>	RESPONSE re <u>3</u> Emergency MOTION for Preliminary Injunction filed by TENNESSEE VALLEY AUTHORITY. (Attachments: # <u>1</u> Concent Decree excerpts, # <u>2</u> Comments on Compliance Agreement, # <u>3</u> Joint Motion to Enter Consent Decree excerpts)(Gillen, Maria) [Transferred from District of Columbia on 11/29/2012.] (Entered: 11/23/2012)
11/23/2012	<u>10</u>	AFFIDAVIT re <u>9</u> Response to motion, ( <i>Declaration of Julia Denise Smith</i> ) by TENNESSEE VALLEY AUTHORITY. (Attachments: # <u>1</u> FOIA Request 1, # <u>2</u> FOIA Request 2, # <u>3</u> FOIA Request 3, # <u>4</u> FOIA Request 4, # <u>5</u> FOIA Request 5, # <u>6</u> FOIA Requests 6 and 7, # <u>7</u> May 29 2012 letter of receipt, # <u>8</u> May 29, 2012 letter of receipt, # <u>9</u> June 12 2012 Segall email, # <u>10</u> June 12 2012 Segall confirmatory email, # <u>11</u> email correspondence between Sierra Club and TVA FOIA officer, # <u>12</u> October 23 2012 Sierra Club request for expedited processing, # <u>13</u> November 5 2012 partial response to Sierra Club FOIA request for IRP information)(Gillen, Maria) [Transferred from District of Columbia on 11/29/2012.] (Entered: 11/23/2012)
11/23/2012	<u>11</u>	AFFIDAVIT re <u>9</u> Response to motion, ( <i>Declaration of Charles P. Nicholson, Ph.D.</i> ) by TENNESSEE VALLEY AUTHORITY. (Attachments: # <u>1</u> TVA's NEPA regulations)(Gillen, Maria) [Transferred from District of Columbia on 11/29/2012.] (Entered: 11/23/2012)
11/23/2012	<u>12</u>	AFFIDAVIT re <u>9</u> Response to motion, ( <i>Declaration of Katherine J. Black</i> ) by TENNESSEE VALLEY AUTHORITY. (Gillen, Maria) [Transferred from District of Columbia on 11/29/2012.] (Entered: 11/23/2012)

11/23/2012	<u>13</u>	NOTICE of Proposed Order by TENNESSEE VALLEY AUTHORITY re <u>3</u> Emergency MOTION for Preliminary Injunction , <u>9</u> Response to motion, (Gillen, Maria) [Transferred from District of Columbia on 11/29/2012.] (Entered: 11/23/2012)
11/27/2012	<u>14</u>	REPLY re <u>9</u> Response to motion, filed by SIERRA CLUB. (Attachments: # <u>1</u> Certificate of Service)(Segall, Craig) [Transferred from District of Columbia on 11/29/2012.] (Entered: 11/27/2012)
11/28/2012	<u>15</u>	MOTION for Leave to File <i>Surreply</i> by TENNESSEE VALLEY AUTHORITY (Attachments: # <u>1</u> Proposed Surreply)(Gillen, Maria) [Transferred from District of Columbia on 11/29/2012.] (Entered: 11/28/2012)
11/28/2012	<u>16</u>	RESPONSE re <u>15</u> MOTION for Leave to File <i>Surreply in Opposition</i> filed by SIERRA CLUB. (Attachments: # <u>1</u> Certificate of Service)(Segall, Craig) [Transferred from District of Columbia on 11/29/2012.] (Entered: 11/28/2012)
11/29/2012	<u>17</u>	NOTICE of Appearance by Tricia Lynn Roelofs on behalf of TENNESSEE VALLEY AUTHORITY (Roelofs, Tricia) [Transferred from District of Columbia on 11/29/2012.] (Entered: 11/29/2012)
11/29/2012	<u>18</u>	Case directly reassigned, by consent, to Chief Judge Royce C. Lamberth. Judge Amy Berman Jackson no longer assigned to the case. (gt, ) [Transferred from District of Columbia on 11/29/2012.] (Entered: 11/29/2012)
11/29/2012		MINUTE ORDER denying <u>15</u> Motion for Leave to File Surreply. Signed by Chief Judge Royce C. Lamberth on November 29, 2012. (lcrl5) [Transferred from District of Columbia on 11/29/2012.] (Entered: 11/29/2012)
11/29/2012	<u>19</u>	ORDER denying <u>3</u> Motion for Preliminary Injunction and transferring case to the Eastern District of Tennessee FORTHWITH. Signed by Chief Judge Royce C. Lamberth on November 29, 2012. (lcrl5) [Transferred from District of Columbia on 11/29/2012.] (Entered: 11/29/2012)
11/29/2012	<u>20</u>	MEMORANDUM OPINION denying plaintiff's <u>3</u> motion for a preliminary injunction and transferring the case to the Eastern District of Tennessee FORTHWITH. Signed by Chief Judge Royce C. Lamberth on November 29, 2012. (lcrl5) [Transferred from District of Columbia on 11/29/2012.] (Entered: 11/29/2012)
11/29/2012		Case transferred out to the USDC of Eastern District of Tennessee, pursuant to Court Order entered 11/29/2012. Sent to Court Electronically. (dr) [Transferred from District of Columbia on 11/29/2012.] (Entered: 11/29/2012)
11/29/2012	<u>21</u>	Case transferred in from District of District of Columbia; Case Number 1:12-cv-01852. Original file (Entered: 11/29/2012)
11/30/2012	<u>22</u>	ORDER transferring this case to the Chattanooga Division. Signed by District Judge Thomas W Phillips on November 30, 2012. (mailed to Mr. Segall) (AYB) (Entered: 11/30/2012)
11/30/2012		Magistrate Judge H Bruce Guyton and District Judge Thomas W Phillips no longer assigned to case per Order transferring case to the Chattanooga division. (AYB) (Entered: 11/30/2012)
11/30/2012		Case transferred in from Knoxville Division on 11/30/2012 Case Number 3:12-cv-622..(JLMc, ) Modified on 11/30/2012 (AWH, ).(copy of nef mailed to Craig Segall) (Entered: 11/30/2012)
12/04/2012	<u>23</u>	MOTION for Leave to Appear Pro Hac Vice by Attorney Craig Segall (Filing fee \$ 90; Receipt # C1009719.) by Sierra Club. (AWH, ) Modified on 12/7/2012 (AWH, ).(document held until additional fee received) (Entered: 12/07/2012)
12/06/2012		Pro hac vice Filing fee for Attorney Craig Segall: \$ 90.00, receipt number C1009719 <u>23</u> (AWH, ) Modified on 12/11/2012 (AWH, ). (Entered: 12/11/2012)
12/08/2012	<u>24</u>	NOTICE of Hearing: Scheduling Conference set for <b>1/18/2013</b> 02:30 PM in Judge's Chambers before District Judge Curtis L Collier. (SPH, ) Modified on 12/10/2012 (BJL, ).***Mailed to Craig Holt Segall. (Entered: 12/08/2012)

12/13/2012	<u>25</u>	NOTICE Of Voluntary Dismissal Without Prejudice, by Sierra Club (BJL) (Entered: 12/14/2012)
------------	-----------	--